香港申訴專員公署

Office of The Ombudsman, Hong Kong



主動調查報告

Direct Investigation Report

政府外聘傳譯服務安排

Government's arrangements for engaging outside interpretation services

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Executive Summary
Direct Investigation Report

Government's Arrangements for
Engaging Outside Interpretation Services

Introduction

The Administrative Guidelines on Promotion of Racial Equality ("the Guidelines") promulgated by the Constitutional and Mainland Affairs Bureau ("CMAB") require that all Government bureaux and departments ("B/Ds") as well as related organisations under their purview have a responsibility to provide appropriate interpretation services to public service users where necessary. This will ensure that people who cannot communicate effectively in Chinese or English (i.e. Cantonese, Putonghua, spoken English and written Chinese and English) can enjoy equal access to public services.

2. At present, a support service centre for ethnic minorities, which is operated by a non-governmental organisation commissioned by the Home Affairs Department, provides general interpretation services. Apart from using the services offered by this centre, B/Ds and related organisations will by themselves acquire suitable foreign-language interpretation services in the market depending on their operational needs and circumstances.

3. In the past, some law enforcement departments would refer to the registered list of non-Government freelance interpreters maintained by the Judiciary Administration ("JA") for judicial purpose ("the List") when looking for outside interpreters who provide legal interpretation services in foreign languages and other Chinese dialects (those other than Putonghua and Cantonese). JA, however, has since August 2018, ceased making the List available to other parties and providing updates. On the other hand, the Government has not compiled information about outside interpreters who provide interpretation services in foreign languages and other Chinese dialects for B/Ds and related organisations' reference. Nor has it set any uniform requirements for qualification of such interpreters. After JA stopped providing the List and its updates to other parties, the law enforcement departments' arrangements for interpretation services would inevitably become less efficient.

4. The Government has continued to refine the Guidelines since their promulgation in 2010. We consider the Government has been proactive and positive in this regard. This direct investigation aims to examine how CMAB can improve the overall efficiency for engaging outside interpretation services while implementing the Guidelines.

Our Findings

5. On the Government's arrangements for engaging outside interpretation services, we have the following observations and comments.

(I) To Coordinate the Establishment of a Central Database of Foreign-language Interpreters

6. We are aware that since JA ceased making the List available, some departments and related organisations still take the old list as reference when acquiring outside interpretation services (especially for carrying out law enforcement duties). As B/Ds and related organisations are no longer offered updates on the Judiciary's list of freelance interpreters, it has become more difficult for them to look for experienced foreign-language interpreters who are familiar with court proceedings. This will certainly compromise the efficiency of relevant departments in performing duties (in particular law-enforcement-related) and providing public services.

7. In our opinion, CMAB can facilitate the compliance with the Guidelines by acting as the coordinator and liaise with B/Ds and related organisations on the establishment of a central database of foreign-language interpreters. With such a database, B/Ds and related organisations can select and acquire appropriate outside interpretation services in a more convenient way. We understand that the guidance on "Language Services" in the revised Guidelines primarily deals with foreign languages while other Chinese dialects are not covered. Therefore, CMAB could start with foreign-language interpreters when coordinating the establishment of the database.

8. Although JA no longer makes the List available to other parties, it will issue a Service Engagement Letter to its authorised freelance interpreters. We recommend that while coordinating the establishment of a central database, CMAB consider inviting the Judiciary's freelance interpreters to apply for the Government's central registration of outside interpreters and updating the relevant information in a timely manner.

Subject to the implementation progress, in the long run the Government can explore the possibility of expanding the central database to cater for various needs of B/Ds and related organisations by including also interpreters who are not the Judiciary's freelance interpreters but have the right credentials. The central database will provide very useful information for B/Ds and related organisations in acquiring outside interpretation services and are complementary with the Guidelines. It can also help B/Ds and related organisations to avoid duplication of resources used in keeping their own lists of outside interpreters, thereby enhancing the Government's overall administrative efficiency.

(II) To Explore Measures for Efficient Selection of Outside Interpreters and Service Procurement

(1) Providing Details of Outside Interpreters and Their Areas of Specialisation and Service Hours

9. The central database of outside foreign-language interpreters, of which establishment will be coordinated by CMAB, could contain details of the interpreters' services (including the languages they can interpret, their academic qualification and whether they are the Judiciary's freelance interpreters), experience, areas of specialisation (such as legal, medical, general interpretation, etc.) and their schedule of availability. Providing these details would enable B/Ds and related organisations to select quickly suitable interpreters who can provide services and to contact them and launch procurement procedures.

(2) Arranging Outside Interpreters to Sign Declaration of Confidentiality and Guidance on Code of Practice in Advance

10. Under the Guidelines, B/Ds and related organisations are reminded that though there may be family members, friends and acquaintance who are willing to provide interpretation for public service users, B/Ds and related organisations should consider providing professional interpretation services to the users so as to avoid potential breaches of confidentiality, possible misinterpretation or inaccuracy, conflict of interest, potential loss of objectivity, etc.

11. We consider that CMAB as the authority enforcing the Guidelines can establish uniform confidentiality requirements and guidelines on code of practice for outside interpreters engaged by B/Ds and related organisations. For people of different races who speak different languages, this will help strengthen their confidence in the

outside interpretation services acquired by the Government. The overall quality of interpretation services can be enhanced as well.

12. Moreover, it will take more time and steps to require outside interpreters to make a declaration of confidentiality and sign an agreement on code of practice each time they undertake an interpretation job. In order to save time and streamline the procedures for B/Ds and related organisations' procurement of interpretation services and assigning jobs, CMAB can explore the feasibility of having outside interpreters to sign a declaration of confidentiality and an agreement on code of practice in advance when including them in the central database.

(III) To Monitor Systematically Arrangements for Outside Interpretation Services and Document Interpreters' Performance

13. Currently, B/Ds and related organisations keep their own records of unsatisfactory performance of outside interpreters and handle these interpreters. Such practice is not only inefficient but also not helpful to the Government's overall monitoring of interpreters' performance.

14. In our opinion, upon establishment of a central database of outside interpreters, CMAB should establish channels for B/Ds and related organisations to comment on outside interpretation services to enable systematic monitoring and documenting of the performance of individual outside interpreters. We recommend that CMAB liaise with relevant B/Ds and related organisations to explore the feasibility of collecting and documenting information about their uses of services provided by the outside interpreters in the database to identify any violation of confidentiality requirement or code of practice. CMAB should also establish a mechanism for follow-up action to enhance the quality of outside interpretation services and further safeguard the interests of service users.

(IV) To Explore Feasibility of Providing Remote Interpretation Services

15. Our findings reveal that when arranging outside interpretation services, B/Ds and related organisations are more willing to use remote interpretation services than before.

16. While implementing the Guidelines, CMAB can remind B/Ds and related organisations to take the initiative to assess whether remote interpretation services can

meet the requirements for the interpretation jobs they are going to assign to outside interpreters (including the Judiciary's freelance interpreters). The use of remote interpretation services allows more flexibility, which can help enhance the administrative efficiency of B/Ds and related organisations and meet the needs of people of different races and languages more promptly.

(V) To Collate Data on Public Service Users' Needs for Interpretation Services in Other Chinese Dialects

17. The contents regarding language service in the revised Guidelines does not cover other Chinese dialects. There are no standing arrangements in government departments for the provision of interpretation support in other Chinese dialects, but departments will acquire interpretation services in other Chinese dialects by outside interpreters where necessary.

18. For long-term planning, CMAB can consider collating data on the needs of the public for interpretation services in other Chinese dialects so that the Government can devise the plan for follow-up action. Subject to the data collated and result of reviews, CMAB, in the long run, can consider whether to include in the central database the information about interpreters providing interpretation services in other Chinese dialects. Inclusion of these data can assist B/Ds and related organisations in selecting interpreters when they need to acquire interpretation services in other Chinese dialects.

Recommendations

19. In view of the above, The Ombudsman has made five recommendations to CMAB:

(1) coordinate the establishment of a central database of outside foreign-language interpreters;

(2) explore and formulate measures for efficient selection of outside interpreters and service procurement. For example, the central database could contain details of the interpreters such as the languages they can interpret, their experience, areas of specialisation and schedule of availability. CMAB should also explore the feasibility of requiring the interpreters to sign a uniform declaration of confidentiality and agreement on code of practice in advance;

(3) explore the feasibility of collecting and documenting information about any violation of confidentiality requirement or code of practice by outside interpreters in the database when being engaged by B/Ds and related organisations. CMAB should also establish a mechanism for follow-up action;

(4) remind B/Ds and related organisations to explore the feasibility of providing remote interpretation services; and

(5) collate data on the needs of public service users for interpretation services in other Chinese dialects to facilitate the Government's review and planning in this regard. In the long run, CMAB should consider including in the central database the information about interpreters providing interpretation services in other Chinese dialects to assist B/Ds and related organisations in engaging outside interpreters for such services.

Office of The Ombudsman
July 2021

1

INTRODUCTION

BACKGROUND

1.1 The Administrative Guidelines on Promotion of Racial Equality ("the Guidelines") promulgated by the Constitutional and Mainland Affairs Bureau ("CMAB") apply to all Government bureaux and departments ("B/Ds") as well as related organisations under their purview. The Guidelines provide that B/Ds and related organisations have a responsibility to provide appropriate interpretation services in foreign languages to people of different races to ensure that those who cannot communicate effectively in Chinese or English (i.e. Cantonese, Putonghua and spoken and written Chinese and English) can enjoy equal access to public services. Depending on the actual situation, B/Ds and related organisations will arrange the most suitable interpretation services based on their scope of service and the needs of people of different races.

1.2 At present, a support service centre for ethnic minorities ("Centre A"), which is operated by a non-governmental organisation commissioned by the Home Affairs Department ("HAD"), provides general interpretation services in eight foreign languages (see **para. 3.5**). Apart from using the services offered by this centre, B/Ds and related organisations will by themselves procure suitable foreign-language interpretation services in the market depending on their operational needs and circumstances (such as when interpretation services involving medical and legal aspects are required).

1.3 In the past, some law enforcement departments would refer to the registered list of non-Government freelance interpreters for judicial purpose ("the List") maintained by the Judiciary Administrator ("JA") when looking for outside interpreters who provide legal interpretation services in foreign languages and other Chinese dialects. JA, however, has since August 2018, ceased making the List available to other parties and providing updates.

1.4 Provision of appropriate and reliable interpretation services in foreign languages and other Chinese dialects (those other than Cantonese and Putonghua) is crucial to the Government's delivery of services and support to people of different races and speaking different languages. The interpreters' qualification and their interpretation experience and skills are key factors in protecting the rights and interests of people only speaking foreign languages or other Chinese dialects as well as in enhancing operational efficiency of the Government. Nevertheless, the Government has not compiled information about outside interpreters who provide interpretation services in foreign languages and other Chinese dialects that B/Ds and related organisations can engage. Nor has it set any uniform requirements for qualification of such interpreters. After JA stopped providing the List and its updates to other parties, the law enforcement departments' arrangements for interpretation services would inevitably become less efficient.

1.5 In this light, The Ombudsman decided to initiate a direct investigation pursuant to section 7(1)(a)(ii) of The Ombudsman Ordinance (Cap. 397) on 8 October 2020 to examine how CMAB can improve the overall efficiency for engaging outside interpretation services in foreign languages and other Chinese dialects while implementing the Guidelines.

SCOPE OF INVESTIGATION

1.6 This direct investigation covers the following aspects:

- the requirements regarding language services in the Guidelines;
- how B/Ds and related organisations engage outside interpretation services in foreign languages and other Chinese dialects;
- the Judiciary's freelance interpreters and arrangements for the List;
- the comments from members of the public, the industry and relevant departments using more interpretation services in foreign languages and other Chinese dialects; and
- any areas for improvement in the arrangements for outside interpretation services.

PROCESS OF INVESTIGATION

1.7 On 12 October 2020, we announced the launch of this direct investigation and invited public views on this topic.

1.8 We issued the draft investigation report to CMAB and related organisations for comments on 13 May 2021, and received from the Hospital Authority ("HA"), JA and CMAB their replies on 11 June, 15 June and 5 July 2021 respectively. Upon considering and incorporating their comments as appropriate, we completed this final report on 20 July 2021.

2

GOVERNMENT'S IMPLEMENTATION OF GUIDELINES

2.1 Hong Kong is a multicultural society where people who are from different parts of the world, of diverse races and speak different languages reside. According to the Population Census/By-census conducted by the Census and Statistics Department ("C&SD") in 2006, 2011 and 2016, the demographics by races in Hong Kong are as follows:

Table 1: Results of Census/By-census conducted by C&SD in 2006, 2011 and 2016

Ethnicity	2006	2011	2016
	Population	Population	Population
	Number of persons (Percentage)	Number of persons (Percentage)	Number of persons (Percentage)
1. Chinese	6,522,148 (95%)	6,620,393 (93.6%)	6,752,202 (92%)
2. Filipino	112,453 (1.6%)	133,018 (1.9%)	184,081 (2.5%)
3. Indonesian	87,840 (1.3%)	133,377 (1.9%)	153,299 (2.1%)
4. White	36,384 (0.5%)	55,236 (0.8%)	58,209 (0.8%)
5. Indian	20,444 (0.3%)	28,616 (0.4%)	36,462 (0.5%)
6. Nepalese	15,950 (0.2%)	16,518 (0.2%)	25,472 (0.3%)
7. Pakistani	11,111 (0.2%)	18,042 (0.3%)	18,094 (0.2%)
8. Thai	11,900 (0.2%)	11,213 (0.2%)	10,215 (0.1%)

Ethnicity	2006	2011	2016
	Population	Population	Population
	Number of persons (Percentage)	Number of persons (Percentage)	Number of persons (Percentage)
9. Japanese	13,189 (0.2%)	12,580 (0.2%)	9,976 (0.1%)
10. Other Asian	12,663 (0.2%)	12,247 (0.2%)	19,589 (0.3%)
11. Others	20,264 (0.3%)	30,336 (0.4%)	68,986 (0.9%)
Total	**6,864,346 (100%)**	**7,071,576 (100%)**	**7,336,585 (100%)**

(Source: C&SD's Website)

2.2 **Table 1** shows that the number of non-Chinese residing in Hong Kong increased by more than 70% from 342,198 in 2006 to 584,383 in 2016. These non-Chinese residents accounted for 5% of the population of Hong Kong in 2006, and the percentage increased gradually to 8% in 2016. These figures reflect that the number of various ethnicities residing in Hong Kong has been increasing.

2.3 Moreover, in 2006, there were 72,217 persons (1.1% of the population of Hong Kong) whose usual spoken language (i.e. the language spoken at home) was not Chinese or English (i.e. Cantonese, Putonghua, other Chinese dialects and English). After ten years, the same category increased by more than 80% to 131,199 persons, making up 1.9% of the population of Hong Kong in 2016.

2.4 The Government is committed to eliminating racial discrimination and promoting equal opportunities for people of diverse race. The Guidelines issued by CMAB in 2010 aim to raise the awareness of B/Ds and related organisations on racial diversity and inclusion so that they shall consider the needs of people of different races[1] in formulating, implementing and reviewing relevant policies and services, and all Hong Kong people regardless of their races can have equal access to public services.

2.5 When the Guidelines were introduced, they covered only 14 B/Ds and related organisations[2]. In the 2018 Policy Address, the Chief Executive announced

[1] In the Guidelines, "race" refers to the race, colour, descent or national or ethnic origin of a person, which is the same definition provided in section 8 of the Race Discrimination Ordinance.

[2] They included the Education Bureau, Social Welfare Department, Labour Department, Home Affairs Department, Employees Retraining Board, Vocational Training Council, Food and Health Bureau, Department of Health, Hospital Authority, Construction Industry Council, Office of the Government Chief Information Officer, Innovation and Technology Commission, and the former Office of the Telecommunications Authority and Television and Entertainment Licensing Authority.

that the Guidelines would be refined to ensure their application to all B/Ds and related organisations providing services for people of different races so as to further strengthen the support for these people. Based on the experience in implementing the Guidelines and comments from stakeholders, the Government refined the Guidelines and implemented the revised version in April 2020. CMAB is responsible for coordinating and maintaining an overview on the overall implementation of the Guidelines.

ARRANGEMENTS FOR PROVISION OF FOREIGN-LANGUAGE INTERPRETATION SERVICES IN THE GUIDELINES

2.6 The revised Guidelines include two sets of new guidance on "Language Services" and "Data Collection on Service Users of Diverse Race", and also require that B/Ds and related organisations arrange training to staff members to enhance their sensitivity and understanding of different races.

Guidance on "Language Services"

2.7 People who are of different races, speak different languages and cannot communicate effectively in Chinese or English (i.e. Cantonese, Putonghua, spoken and written English and written Chinese) may experience difficulties in gaining access to public services. The new guidance on "Language Services" (i.e. Annex B of the Guidelines, which is **Annex I** to this Report) specifies the necessary steps that the management and front-line levels of B/Ds and related organisations should follow, so as to assist them in identifying the language service needs of service users, introducing the availability of and proactively offering appropriate language services to service users, and properly recording information regarding interpretation services (such as public service users' requests for and use of interpretation services and the relevant services provided and arranged).

2.8 Moreover, staff members of B/Ds and related organisations are reminded to take note of the special needs of public service users regarding confidentiality, concepts and taboo arising from the cultural difference among different races while arranging interpretation services for them. B/Ds and related organisations should also monitor and review regularly the arrangements for provision of language services to make improvement as appropriate.

Guidance on “Data Collection on Service Users of Diverse Race”

2.9 The revised Guidelines also include the new guidance on “Data Collection on Service Users of Diverse Race” (i.e. Annex C of the Guidelines, which is **Annex II** to this Report), which requires that B/Ds and related organisations collect and compile data on public service users of diverse race and using different languages to assess the impact of their policies and measures on racial equality, monitor service users’ equal access to public services, and enable continuous improvement of service provision.

2.10 On interpretation services, B/Ds and related organisations should collect data from public service users regarding their “language service needs” (including the number of requests received by B/Ds and related organisations for language services and the number of cases where interpretation services are provided) and “preferred languages”. Each year, B/Ds and related organisations should report to CMAB on the situation of “language service needs” and “preferred language” to facilitate overall monitoring.

3

OVERVIEW OF GOVERNMENT'S ENGAGEMENT OF OUTSIDE INTERPRETATION SERVICES

ARRANGEMENTS FOR ENGAGING OUTSIDE INTERPRETATION SERVICES

3.1 In providing public services to people of diverse race who speak different languages, B/Ds and related organisations would arrange interpretation services to facilitate communication where necessary. Other occasions where B/Ds and related organisations need to engage interpretation services include performing duties such as conducting interviews and making statements with and collecting evidence from people of different races who speak different languages but are not fluent in Cantonese, Putonghua and English.

3.2 The Official Languages Division under the Civil Service Bureau provides only interpretation services in Cantonese, Putonghua and English for B/Ds. In case B/Ds and related organisations do not have in-house interpreters providing services in foreign languages and other Chinese dialects, or in-house interpreters cannot interpret certain languages or other Chinese dialects, those B/Ds and related organisations will have to hire outside interpreters and acquire interpretation services in accordance with the established procurement procedures.

FOREIGN-LANGUAGE INTERPRETATION SERVICES

3.3 With effect from April 2020, application of the revised Guidelines has been extended to more than 100 B/Ds and related organisations. During the first six

months after the implementation of the revised Guidelines, 23 B/Ds and related organisations in total had arranged foreign-language interpretation services to people of diverse race who speak different languages. Details are listed in **Table 2** below.

Table 2: The 23 B/Ds and related organisations having arranged foreign-language interpretation services between April and September 2020

Administration Wing, the Chief Secretary for Administration's Office	HA
C&SD	Hong Kong Housing Authority ("HKHA")/ Housing Department ("HD")
Construction Industry Council ("CIC")	Immigration Department ("ImmD")
Correctional Services Department ("CSD")	Independent Commission Against Corruption ("ICAC")
Customs and Excise Department ("C&ED")	Innovation and Technology Bureau ("ITB")
Department of Health ("DH")	Labour Department ("LD")
Education Bureau ("EDB")	Legal Aid Department ("LAD")
Employee Retraining Board ("ERB")	Planning Department ("PlanD")
Environment Bureau ("ENB")/ Environmental Protection Department ("EPD")	Security Bureau ("SB")
Equal Opportunities Commission ("EOC")	Transport Department ("TD")
Hong Kong Police Force ("HKPF")	Working Family and Student Financial Assistance Agency ("WFSFAA")
Social Welfare Department ("SWD")	

3.4 Except for a few B/Ds and related organisations providing interpretation services to service users with in-house foreign-language interpreters, most of the B/Ds and related organisations in **Table 2** engaged outside interpretation services in foreign languages (including the services provided by Centre A) (see **paras. 3.5 - 3.7**).

Providers of Outside Foreign-language Interpretation Services

3.5 CMAB pointed out that as there are many types of public services, people of diverse race who speak different languages may require different interpretation services when they use various public services. Depending on the actual situation, B/Ds and related organisations will engage appropriate outside interpretation services in foreign languages. Centre A (see **para. 1.2**) provides general interpretation services (i.e. non-specialised and non-professional areas) to B/Ds and related organisations through its free telephone interpretation and enquiry service, which covers a total of eight foreign languages (Bahasa Indonesia, Hindi, Nepali, Punjabi, Tagalog, Thai, Urdu and Vietnamese). On the other hand, B/Ds and related organisations can acquire other interpretation services provided by Centre A with service fees. Although Centre A is not an interpretation service provider designated by the Government, it provides general interpretation services instantly and free of charge. CMAB considered such arrangement the first service point of interpretation services for B/Ds and related organisations.

3.6 According to CMAB, when B/Ds and related organisations need to acquire outside interpretation services relating to specialised or professional areas such as medical service and law, they can by themselves approach companies, organisations or individuals (including the Judiciary's freelance interpreters (see **Chapter 4**)) providing interpretation service in the market and procure their services in accordance with the Guidelines. For example, HA has appointed another non-governmental organisation ("Centre B") as service contractor to provide interpretation services to facilitate communication between the staff of public hospitals and clinics and patients who need such services. Centre B provides interpretation services in 18 foreign languages (Urdu, Punjabi, Nepali, Bahasa Indonesia, Hindi, Japanese, Thai, Tagalog, Korean, Bengali, Vietnamese, Malay, Portuguese, German, French, Spanish, Sinhala and Arabic). On the other hand, subject to operational needs, law enforcement departments will engage outside foreign-language interpretation services provided by the Judiciary's freelance interpreters.

3.7 CMAB provided this Office with information on the uses of foreign-language interpretation services by B/Ds and related organisations in the first six months after the implementation of revised Guidelines. **Table 3** shows that 14 (i.e. over 60%) out of the 23 B/Ds and related organisations having arranged foreign-language interpretation services between April and September 2020 (see **para. 3.3**) had hired the Judiciary's freelance interpreters. It reflects that the Judiciary's freelance interpreters are among the service providers which B/Ds and related organisations services would often hire.

Table 3: Providers of foreign-language interpretation services arranged by B/Ds and related organisations between April and September 2020

B/Ds and related organisations	The Judiciary's freelance interpreters	Centre A	Centre B	Other contractors	In-house interpreters
1. Administration Wing		✓			
2. C&SD				✓	
3. CIC					✓
4. CSD	✓				
5. C&ED	✓			✓	
6. DH	✓	✓	✓	✓	
7. EDB				✓	
8. ERB					✓
9. ENB/EPD	✓				
10. EOC	✓				✓
11. HKHA/HD		✓		✓	
12. HKFP	✓	✓			
13. HA[3]	✓		✓		
14. ImmD	✓			✓	✓
15. ICAC	✓				
16. ITB		✓			
17. LD	✓	✓		✓	
18. LAD	✓				
19. PlanD				✓	
20. SB	✓	✓			✓
21. SWD	✓	✓		✓	
22. TD	✓	✓			
23. WFSFAA				✓	

3 Generally speaking, HA's hospitals/clinics mainly arrange interpretation services for patients and its staff who need such services through its service contractor (i.e. Centre B). In some cases, the hospital(s) had engaged Centre A's services for patients. HA has not kept information about the use of telephone interpretation and enquiry services provided by Centre A.

Modes of Outside Interpretation Services

3.8 Currently, B/Ds and related organisations can provide interpretation services in various modes when needs arise. For example, B/Ds and related organisations can arrange outside interpreters in foreign language to provide on-site and face-to-face interpretation services to the people who need the services and the Government or organisation staff.

3.9 Outside interpreters in foreign languages can also provide remote interpretation services for B/Ds and related organisations in the form of three-party conference call or video conference. Take HA as an example, the authority introduced video interpretation services in addition to telephone and on-site interpretation services since March 2020.

3.10 Relevant information shows an increase in the use of telephone interpretation services among B/Ds and related organisations. According to the statistics provided by HAD (**Table 4**), there was a significant increase of 85% in the use of Centre A's telephone interpretation and enquiry services among B/Ds and related organisations from 2017/18 to 2019/20, among which SWD's usage increased by more than 140%.

Table 4: Frequency of use of Centre A's telephone interpretation and enquiry services among B/Ds and related organisations

B/Ds and related organisations	Telephone interpretation and enquiry services		
	2017/18	**2018/19**	**2019/20**
SWD	162	252	394
HD	24	27	47
DH	53	20	53
HA	17	11	16
LD	142	276	337
EDB	5	8	8
LAD	1	1	0
HKPF	50	39	39
ImmD	1	2	7
Others	47	100	29
Total	502	736	930

INTERPRETATION SERVICES IN OTHER CHINESE DIALECTS

Government's Arrangement for Interpretation Services in Other Chinese Dialects

3.11 There are no standing arrangements in the Government for the provision of interpretation support in other Chinese dialects, but B/Ds and related organisations will procure interpretation services in other Chinese dialects by outside interpreters where necessary.

3.12 At present, the contents regarding language services in the revised Guidelines do not cover other Chinese dialects. As far as CMAB is concerned, people who speak Chinese dialects other than Cantonese and Putonghua (including new arrivals in Hong Kong) can usually communicate in Putonghua or written Chinese. Meanwhile, as the responsible department coordinating supporting services for new arrivals from the Mainland, HAD has not received any cases where people speaking only other Chinese dialects could not access public services due to failure of communication.

Providers for Outside Interpretation Services in Other Chinese Dialects

3.13 Departments involving more law enforcement actions indicated that they have referred to the List of the Judiciary when acquiring interpretation services in other Chinese dialects. As HA's interpretation service contractor does not provide interpretation support in other Chinese dialects, the authority has also engaged the services of the Judiciary's freelance interpreters. According to the information provided by the departments and HA, they had arranged outside interpretation services in other Chinese dialects including Fuqing, Hunan, Minnan, Taisan, Chaozhou, Sichuan, Helao, Kejia, Leizhou, Shanghai, Wenzhou and Xiamen.

MONITORING OF OUTSIDE INTERPRETERS' PROFESSIONAL CONDUCT AND PERFORMANCE

3.14 According to CMAB, there are currently no associations or trade organisations of interpretation services for ethnic minority languages to regulate and

monitor the professional standards and conduct of interpreters. B/Ds and related organisations often procure the services of outside interpreters on a contract basis, and they will set out their requirements for outside interpreters' performance in the service contracts and monitor the interpreters' service quality. Where necessary, the interpreters will be required to sign a declaration of confidentiality in advance.

3.15 Where B/Ds and related organisations are not satisfied with outside interpreters' services or the service quality, they will handle the matter in accordance with the relevant service contracts and established procedures. B/Ds and related organisations will document the unsatisfactory performance of outside interpreters and refer to such records when considering whether to use their services again in future. This practice aims to monitor outside interpreters' performance to ensure that their services are up to standard.

4

JUDICIARY'S FREELANCE INTERPRETERS AND REGISTRATION ARRANGEMENTS

JUDICIARY'S FREELANCE INTERPRETERS

4.1 For administration of justice, the Judiciary will arrange interpretation service for a party or a witness in any court proceedings as and when necessary. Where interpretation service in a foreign language or a Chinese dialect is required and the Judiciary's court interpreters cannot tackle the need, the Judiciary will engage the services of freelance interpreters who are not its employees. In order to ensure suitable interpretation services be provided during court proceedings, the Judiciary has set out in the recruitment advertisement the qualification requirements for eligible interpreters (including their academic qualification, their proficiency of the foreign languages or Chinese dialects concerned, their proficiency of English or Cantonese and the written and oral examinations they have to pass[4]) and the relevant procedures to be followed.

TRAINING FOR FREELANCE INTERPRETERS

4.2 According to JA, it attaches much importance to the training for freelance interpreters. Court visits are arranged for all new freelance interpreters, and the

[4] The Judiciary usually requests recommendation from relevant consulates for personnel having greater proficiency in the languages concerned to be examiners.

interpreters will attend an induction class in a real courtroom setting which covers the court structure, court procedures and code of practice etc. Reference materials covering relevant subjects such as sample of charges, ease briefs, imposition of penalties and legal terms commonly used in court proceedings will also be provided. JA will require freelance interpreters to strictly adhere to relevant code of practice and confidentiality requirement. Besides, to ensure the service of the freelance interpreters meets the required standard, JA will monitor their performance at courts by observing their performance at the court and collecting views on their performance from court users and full-time court interpreters .

4.3 Subject to the operational needs of courts, interpretation jobs will be assigned to freelance interpreters in rotation. Generally speaking, less experienced freelance interpreters will be assigned simple and brief interpretation jobs at lower courts such as bail applications and cases for mention. When the freelance interpreters have accumulated more experience in court interpretation and proved themselves to be capable of handling various types of jobs at different levels of courts, they will be assigned more complicated jobs including interpretation for hearings and trials at higher courts.

THE LIST

4.4 JA maintains the List containing information on registered freelance interpreters who provide interpretation services in different foreign languages and other Chinese dialects only to ensure that eligible freelance interpreters will be arranged to provide interpretation services in courts. Previously, when eligible interpreters had passed relevant language proficiency tests, completed other procedures and accumulated adequate experience, JA would issue a confirmation letter bearing no expiry date to confirm that they were put on the List. JA could then assign more complicated interpretation jobs to those registered freelance interpreters who had accumulated adequate experience to meet the operational needs of various courts. As at December 2020, about 300[5] of the Judiciary's 500 freelance interpreters were on the List, providing interpretation services in 55 foreign languages and other Chinese dialects (see **Annex III** of this Report).

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5 Not including sign language and Putonghua interpreters.

4.5 Where necessary, JA would update the information (e.g. when interpreters update their personal particulars) on the List. Previously, some B/Ds and related organisations would enquire of JA about the information of the List, and then procure interpretation services in foreign languages and other Chinese dialects from suitable freelance interpreters directly. Moreover, JA would from time to time update some B/Ds and related organisations (including SB, HKPF, ImmD, C&ED, CSD, ICAC, HA and LAD) of the information of certain interpreters on the List providing interpretation services in foreign languages and other Chinese dialects. For example, whenever there were any freelance interpreters adding to or withdrawing from the List.

4.6 JA emphasised that freelance interpreters are not its employees, and they can undertake interpretation jobs of the Government and other organisations, companies or individuals at their own free will. It is not appropriate for JA to advise other organisations including B/Ds on the arrangement of interpretation services, or to monitor the performance and behaviour of interpreters on their behalf.

CESSATION OF MAKING THE LIST AVAILABLE TO OTHER PARTIES SINCE AUGUST 2018

4.7 JA explained that in view of the independence of the Judiciary and the sole purpose of maintaining the List is to support judicial work, it would be inappropriate if the Judiciary acts as or is to be regarded as the agent or responsible authority for B/Ds and related organisations regarding the provision of interpretation support. Besides, some departments often mistake JA for the provider or overseer of freelance interpreters and give JA their comments and views on the services and performance of the interpreters engaged for the departments' own purposes. Hence, having reviewed the practice, JA ceased making the List available to other parties and providing updates since August 2018.

4.8 We learn that, since JA had ceased sharing the List and updating the same with other parties (see **para. 4.7**), some departments still refer to the List at hand, which may be a version of 2018 or before (the oldest one being 2007's), when engaging outside interpretation services. As some information on the List is not up-to-date, there are cases when some departments could not find and hire suitable interpreters from the List and had to seek help from other departments to acquire outside interpretation services.

4.9 As the authority enforcing the Guidelines, CMAB explained that since JA ceased making the List available to other parties, some law enforcement departments have made necessary arrangements to ensure that interpretation services could be acquired promptly as and when required. For example, subject to their operational needs, the departments would by themselves maintain a list of available outside interpreters providing interpretation services in foreign languages or other Chinese dialects, or procure interpretation services from relevant companies/organisations in the market. CMAB has not received any comments from B/Ds and related organisations about having difficulty in acquiring outside interpretation services in foreign languages and other Chinese dialects.

INTRODUCTION OF NEW MECHANISM FOR FREELANCE INTERPRETATION SERVICES IN JANUARY 2021

4.10 JA introduced a new mechanism at the end of January 2021 to further improve the arrangements for providing interpretation services on a freelance basis. Under the new mechanism, JA's selection criteria and requirements for freelance interpreters and the training, code of practice and confidentiality requirement of interpreters remain unchanged (see **paras. 4.2 - 4.3**). Regardless of the experience of freelance interpreters in court interpretation and whether they had been included in the List, eligible interpreters (i.e. those who have passed the relevant language proficiency tests, criminal record checks and interviews etc.) will be invited to join a new list of service providers for providing court interpretation services as and when needed. JA will issue a Service Engagement Letter to freelance interpreters who join the new mechanism to confirm that they are included as service providers for a period of four years. JA will continue to assign interpretation jobs to freelance interpreters according to their proficiency of languages, performance and experience in court interpretation (see **para. 4.3**).

4.11 Under the new mechanism, the Judiciary will review and update the list of service providers regarding the status of freelance interpreters every four years to enable effective monitoring of arrangements for court interpretation services. Upon expiry of their appointment term, freelance interpreters who meet the requirements can remain on the list. In case of serious misconduct or faults, their appointment will be cancelled immediately. JA will not make the list of service providers available to other parties (including B/Ds and related organisations).

4.12 As at February 2021, more than 300 freelance interpreters were included on the new list of service providers and they had been issued a Service Engagement Letter. They could provide interpretation services in foreign languages and other Chinese dialects similar to those covered in the List maintained by JA as at December 2020. JA indicated that it would continue to place advertisements to engage freelance interpretation services in different languages and dialects depending on the operational needs of courts.

5

COMMENTS FROM PUBLIC, INDUSTRY AND BUREAUX/DEPARTMENTS CONCERNED

5.1 During this direct investigation, we have made enquiries to seven B/Ds[6] (hereinafter to be referred to as "the B/Ds concerned"). After announcement of the launch of this investigation, we received comments from members of the public and the industry on the Government's arrangements for outside interpretation services and the quality of such services, as well as the development of interpretation services. The comments are summarised in the following.

(I) QUALITY AND STANDARDS OF SERVICES BY OUTSIDE INTERPRETERS

Comments from Public and Industry

5.2 Some members of ethnic minority who have resided in Hong Kong for decades find the quality of the interpretation services provided when using Government services inconsistent. Some even consider the interpretation services provided by certain Government departments substandard and that the interpreters could

6 Security Bureau, Fire Services Department, Hong Kong Police Force, Customs and Excise Department, Correctional Services Department, Immigration Department and Food and Environmental Hygiene Department.

demonstrate neither the required interpretation skills and knowledge about the topics nor the required level of proficiency of the foreign languages concerned. Low quality interpretation could not enable communication, and if the interpreter cannot convey the message accurately, the service users may suffer loss and the consequence can be grave.

5.3 There are views from ethnic minorities and the industry that the quality and standard of interpretation service provided by the Judiciary's freelance interpreters are better than that available in the market. Besides, these freelance interpreters are familiar with law enforcement and court proceedings and are more experienced in providing interpretation services for various Government departments, such as HKPF. Hence, their interpretation services (e.g. compiling transcripts of records of interview) is less likely to be challenged in the court.

5.4 According to some members of the industry, even though B/Ds and related organisations have maintained their own lists of outside interpreters since JA ceased making the List available and providing updates, it would still be difficult for B/Ds and related organisations to find a large group of eligible interpreters as experienced as the Judiciary's freelance interpreters in judicial interpretation. B/Ds and related organisations might have to hire outside interpreters with lesser experience and the service quality may be compromised, which is unsatisfactory.

5.5 Those who have given the above comments consider that B/Ds and related organisations should continue to engage the services provided by the Judiciary's freelance interpreters so that up-to-standard interpretation services can be maintained.

Comments from B/Ds Concerned

5.6 The Judiciary has in place a mechanism to ensure that freelance interpreters' quality meets the stringent requirements for court interpretation services. In this light, the B/Ds concerned consider that the experience and standard of those freelance interpreters who were recognised by JA in the past and included in the List are somewhat guaranteed. Therefore, they incline to refer to the List when engaging outside interpretation services (especially in dealing with legal interpretation).

(II) ARRANGEMENTS FOR ENGAGING OUTSIDE INTERPRETERS

Comments from Public and Industry

5.7 Some members of the public who had requested interpretation services while using public services had learned from departments/organisations that, given the limited number of outside interpreters, the B/Ds and organisations concerned would have to contact a number of interpreters before finding an available interpreter to undertake the job. Hence, it often takes time to engage the required interpretation services. Besides, some commented that when arranging for interpretation services, B/Ds and related organisations tend to approach those outside interpreters who have worked for them before, thus leading to an uneven distribution of interpretation jobs.

5.8 Moreover, some are of the view that the Government should assign one B/D to handle and coordinate the procurement of outside interpretation services and establish administrative measures to facilitate B/Ds and related organisations to select and engage outside interpretation services, such as maintaining a list of outside interpreters for the use of B/Ds and related organisations.

Comments from B/Ds Concerned

5.9 According to the B/Ds concerned, to cope with their investigation and enforcement actions, B/Ds will take into consideration whether the interpreters can provide services at a prescribed location in short notice when selecting outside interpreters. The B/Ds concerned pointed out that some interpreters are always out of reach, and it is generally hard to engage outside interpreters who are available for services after midnight.

5.10 Although B/Ds and related organisations can maintain their own lists of outside interpreters and update the information, some B/Ds are concerned that this would involve more resources and it might be difficult for them to monitor the performance of outside interpreters effectively. Hence, the B/Ds concerned generally welcome the designation of a B/D to coordinate, compile and maintain a list of outside interpreters so that there could be more eligible and readily available interpreters to provide interpretation support to B/Ds and related organisations. Moreover, B/Ds and related organisations will save the time and resources in going through procurement procedures and maintaining their own lists of interpreters.

6

OUR COMMENTS AND RECOMMENDATIONS

6.1 Hong Kong is a world city where people of diverse race who speak different languages reside and work. After implementing the Guidelines in 2010, the Government has continued to refine them, laying down instructions to B/Ds and related organisations on provision of appropriate interpretation services to public service users to promote racial equality and ensure equal opportunity to access and benefit from public services (see **paras. 2.4 - 2.10**). We consider that the Government has been proactive and positive in this regard.

6.2 On the Government's existing arrangements for outside interpretation services, we have the following observations and comments.

(I) TO COORDINATE THE ESTABLISHMENT OF A CENTRAL DATABASE OF FOREIGN-LANGUAGE INTERPRETERS

6.3 It can be seen from **Table 3** under **paragraph 3.7** and the views of the B/Ds concerned **in paragraph 5.6** above that many B/Ds and related organisations (in particular departments whose routine duties include law enforcement action) have engaged the interpretation services of the Judiciary's freelance interpreters. In fact, a large number of freelance interpreters are recognised by the Judiciary and they provide interpretation services in a wide variety of foreign languages and Chinese dialects (see **para. 4.4**).

6.4 CMAB indicated that the Bureau had not received any feedback from B/Ds and related organisations about having difficulties in sourcing outside interpretation services (see **para. 4.9**) since JA ceased providing the List and its update. Nevertheless, we understand that some B/Ds and related organisations still refer to the

List they obtained in the past when procuring outside interpretation services (especially when carrying out law enforcement duties) (see **para. 4.8**). Under the Judiciary's new mechanism regarding freelance interpretation services (see **paras. 4.10 - 4.12**), the Judiciary will no longer provide B/Ds and related organisations with updates on its freelance interpreters. With natural wastage when some freelance interpreters leave Hong Kong, retire, or their contact information becomes obsolete or for other reasons, the number of outside interpreters on the List who are available for selection and hiring by departments will decrease. Besides, it is not easy for departments to access information on freelance interpreters who are newly recognised by the Judiciary. In the long run, it would be more difficult for departments to look for experienced foreign-language interpreters who are familiar with court proceedings. This will certainly compromise the efficiency of departments in performing duties (in particular law-enforcement-related duties) and providing public services.

6.5 In our opinion, CMAB can facilitate compliance with the Guidelines by acting as the coordinator and liaise with B/Ds and related organisations on the establishment of a central database of foreign-language interpreters. With such a database, B/Ds and related organisations can select and acquire appropriate outside interpretation services in a more convenient way. As a matter of fact, the governments of other countries and areas such as Norway[7], Sweden[8] and Taiwan[9] have established a similar database of interpreters to help government departments as well as different sectors in society to look for qualified interpreters to provide interpretation services in foreign languages and dialects when necessary. We understand that the Guidelines aim to ensure that members of ethnic minorities can have equal opportunity to access public services, and the guidance on "Language Services" in the revised Guidelines primarily deals with foreign languages while other Chinese dialects are not covered. Hence, CMAB as the authority enforcement the Guidelines could start with foreign-language interpreters when coordinating the establishment of the database.

6.6 We are aware that the Duty Lawyer Service[10] in Hong Kong has compiled the Master Part-time Freelance Interpreters' Lists ("the Master Lists") for the purpose

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7 https://www.norge.no/en/service/norwegian-national-register-interpreters-nasjonalt-tolkeregister

8 https://www.kammarkollegiet.se/engelska/start/all-services/interpreter/search-interpreter

9 https://idb.immigration.gov.tw

10 The Duty Lawyer Service is an organisation fully subvented by the Government. It is managed by a committee formed by the Hong Kong Barrister Association and the Law Society of Hong Kong.

of sourcing interpretation services in foreign languages and other Chinese dialects where necessary. Prior to the introduction of JA's new mechanism for engaging freelance interpretation services (see **para. 4.10**), freelance interpreters who are placed on the List by JA could apply for inclusion in the Master Lists by completing an application form and providing their personal particulars, qualifications, registration number with the Judiciary and relevant document of proof. Subsequent to the implementation of JA's new mechanism, the Duty Lawyer Service has changed the application formality accordingly. Freelance interpreters having obtained the Judiciary's Service Engagement Letter only need to produce a valid letter and apply with relevant documents for inclusion in the Master Lists. The Government can follow this practice and make available the information on outside foreign-language interpretation services so that it would be easier for B/Ds to find suitable outside interpreters without having to rely on the old list.

6.7 Although JA no longer maintains the List, it will issue a Service Engagement Letter to its authorised freelance interpreters under the new mechanism (see **para. 4.10**). We recommend that when coordinating the establishment of a central database, CMAB consider inviting freelance interpreters to apply for the Government's central registration of outside interpreters. After verifying the identification of and other information about the interpreters intending to be enlisted, CMAB can use such information to establish the database of foreign-language interpreters to the benefit of B/Ds and related organisations, and update the relevant information in a timely manner. Subject to the implementation progress, in the long run the Government can explore the possibility of expanding the central database to cater for various needs of B/Ds and related organisations by including also interpreters who are not the Judiciary's freelance interpreters but have other credentials. We believe that the central database will provide very useful information for B/Ds and related organisations in acquiring outside interpretation services and is complementary with the Guidelines.

6.8 It is true that B/Ds and related organisations can each maintain their own lists of interpreters, check the interpreters' credentials (such as by verifying each freelance interpreter's identity) and update the relevant information. Nevertheless, we consider that the establishment of a central database can help avoid duplication of resources and enhance the Government's overall administrative efficiency. In any event, individual B/Ds can still maintain their own list of outside interpreters according to their operational needs, and this will not compromise their flexibility in selecting and procuring outside interpretation services.

(II) TO EXPLORE MEASURES FOR EFFICIENT SELECTION OF OUTSIDE INTERPRETERS AND SERVICE PROCUREMENT

6.9 As it may take B/Ds and related organisations some time to select and contact outside interpreters (see **para. 5.9**), CMAB should explore better arrangements for B/Ds and related organisations to access information on interpreters and to complete the procurement procedures so that they can procure and arrange outside interpretation services quickly, and administrative efficiency can be improved.

(1) Providing Details of Outside Interpreters and Their Areas of Specialisation and Service Hours

6.10 The central database of outside foreign-language interpreters, of which establishment will be coordinated by CMAB, could contain details of the interpreters' services (such as the languages they can interpret, their academic qualification and whether they are the Judiciary's freelance interpreters), experience and areas of specialisation (such as legal, medical, general interpretation, etc) as well as their schedule of availability (e.g. whether they are on call 24 hours a day or they have a fixed work schedule). Providing these details would enable B/Ds and related organisations to select quickly suitable interpreters who can provide services and to contact them and launch procurement procedures.

(2) Arranging Outside Interpreters to Sign Declaration of Confidentiality and Guidance on Code of Practice in Advance

6.11 The guidance on "Language Services" in the Guidelines (see **Annex I** of this Report) reminds B/Ds and related organisations that though there may be family members, friends and acquaintance who are willing to provide interpretation for public service users, B/Ds and related organisations should consider providing professional interpretation services to the users so as to avoid potential breaches of confidentiality, possible misinterpretation or inaccuracy, conflict of interest, potential loss of objectivity, etc. Obviously, whether outside interpretation services are professional and up to standard is essential to protection of service users' interests and the Government's provision of information and services.

6.12 Currently, there are no associations or trade organisations of interpretation services for ethnic minority languages to regulate and monitor the professional standards

and conduct of interpreters. Nevertheless, according to **paragraphs 3.14 and 3.15**, B/Ds and related organisations will set out their requirements for outside interpreters' performance and service quality in the service contracts, and require the interpreters to sign a declaration of confidentiality where necessary.

6.13 We consider that CMAB as the authority enforcing the Guidelines can establish uniform confidentiality requirements and guidelines on code of practice for outside interpreters engaged by B/Ds and related organisations. For people of diverse race who speak different languages, this will help strengthen their confidence in the outside interpretation services acquired by the Government. The overall quality of interpretation services can be enhanced as well. B/Ds and related organisations should sign an agreement with outside interpreters requiring them to maintain confidentiality in respect of information that comes to their knowledge while providing services, as well as providing accurate interpretation in an objective manner, respecting the culture and religious rules of different races, and undertaking only tasks they can manage.

6.14 Moreover, in order to save the time and steps of B/Ds and related organisations requiring outside interpreters to make a declaration of confidentiality and sign an agreement on code of practice each time they undertake an interpretation job, and streamline the procedures for procurement of interpretation services and assigning jobs, CMAB can explore the feasibility of having outside interpreters to sign a declaration of confidentiality and an agreement on code of practice in advance when including them in the central database. Depending on the sensitive information involved and the merits of a case, B/Ds and related organisations can require outside interpreters to sign a separate declaration or agreement of confidentiality when engaging outside interpretation services.

(III) TO MONITOR SYSTEMATICALLY ARRANGEMENTS FOR OUTSIDE INTERPRETATION SERVICES AND DOCUMENT INTERPRETERS' PERFORMANCE

6.15 Before JA ceased sharing the List and providing updates, it had indicated that it would not involve itself in matters relating to the procurement of freelance interpreters' services by B/Ds and related organisations (see **para. 4.6**). Nevertheless, occasionally some departments still approach JA and give their comments and views on the freelance interpreters' performance (see **para. 4.7**). We are of the view that upon

establishment of a central database of outside interpreters, CMAB should establish channels for B/Ds and related organisations to comment on outside interpretation services to enable systematic monitoring and documenting of the performance of individual outside interpreters.

6.16 In our opinion, the current practice that B/Ds and related organisations keep their own records of unsatisfactory performance of outside interpreters and handle these interpreters by themselves (see **para. 3.15**) is not only inefficient but also not helpful to the Government's overall monitoring of interpreters' performance. We recommend that CMAB liaise with relevant B/Ds and related organisations to explore the feasibility of collecting and documenting information about their uses of services provided by the outside interpreters in the central database to identify any violation of confidentiality requirement or code of practice. CMAB should also establish a mechanism for follow-up action. These measures would help enhance the quality of outside interpretation services engaged by B/Ds and related organisations and further safeguard the interests of service users.

(IV) TO EXPLORE FEASIBILITY OF PROVIDING REMOTE INTERPRETATION SERVICES

6.17 That B/Ds and related organisations have been using more of Centre A's telephone interpretation and enquiry services (**Table 4)** and HA introduced video interpretation services (see **para. 3.9**) reveal that when arranging outside interpretation services, B/Ds and related organisations are more willing to use remote interpretation services than before.

6.18 In our view, when engaging outside interpretation services including the services by the Judiciary's freelance interpreters, B/Ds and related organisations can take the initiative to assess whether remote interpretation services can meet the requirements for the interpretation jobs they are going to assign to outside interpreters. The use of remote interpretation services allows more flexibility by saving the outside interpreters' trip to the prescribed location, which can help enhance the administrative efficiency of B/Ds and related organisations and meet the needs of people of different races and languages more promptly. As such, when implementing the Guidelines, CMAB can remind B/Ds and related organisations to consider the feasibility of using remote interpretation services.

(V) TO COLLATE DATA ON PUBLIC SERVICE USERS' NEEDS FOR INTERPRETATION SERVICES IN OTHER CHINESE DIALECTS

6.19 As stated in **paragraphs 3.11 and 3.12** above, the contents regarding language services in the revised Guidelines do not cover other Chinese dialects. There are no standing arrangements in Government departments for the provision of interpretation support in other Chinese dialects, but departments will procure interpretation services in other Chinese dialects in accordance with the Stores and Procurement Regulations where necessary.

6.20 For long-term planning, the Government can investigate the actual needs for interpretation services in other Chinese dialects to determine whether further support should be provided. In this light, CMAB can consider collating data on the needs of the public for interpretation services in other Chinese dialects so that the Government can understand the needs and devise the plan for follow-up action accordingly.

6.21 Subject to the data collated and result of reviews, CMAB, in the long run, can consider whether to include in the central database the information about interpreters providing interpretation services in other Chinese dialects. Inclusion of these data can assist B/Ds and related organisations in selecting interpreters when they need to acquire interpretation services in other Chinese dialects.

OTHER OBSERVATIONS

6.22 While the overall long-term development of interpretation services in Hong Kong is not the focus of this direct investigation, we have received comments from members of the public on foreign-language interpretation services (including but not limited to those provided by the Government's outside interpreters) as well as the long-term development of the industry. We find some of the views worth considering and, therefore, have referred them to CMAB. For example, some members of the public opine that the Government should establish a mechanism for training and accreditation of foreign-language interpreters so as to address the inconsistent quality of interpreters. We understand that CMAB has provided funding to EOC for conducting a study on the feasibility of accreditation of interpreters in ethnic minority languages. Having consulted the major stakeholders, EOC set the subject of the study as "Potential Models for Accreditation and Recognition of Interpreters and Translators in Ethnic

Minority Languages in Hong Kong". We expect that upon completion of EOC's study, CMAB will proactively examine the feasibility of implementation of such mechanism and carefully consider the views of various stakeholders.

RECOMMENDATIONS

6.23 In view of the above, The Ombudsman recommends that CMAB:

(1) coordinate the establishment of a central database of outside foreign-language interpreters (see **paras. 6.5 - 6.8**);

(2) explore and formulate measures for efficient selection of outside interpreters and service procurement. For example, the central database shall contain details of the interpreters such as the languages they can interpret, their experience, areas of specialisation and schedule of availability. CMAB should also explore the feasibility of requiring the interpreters to sign a uniform declaration of confidentiality and agreement on code of practice in advance (see **paras. 6.9 - 6.14**);

(3) explore the feasibility of collecting and documenting information about any violation of confidentiality requirement or code of practice by outside interpreters in the database when being engaged by B/Ds and related organisations. CMAB should also establish a mechanism for follow-up action (see **paras. 6.15 - 6.16**);

(4) remind B/Ds and related organisations to explore the feasibility of providing remote interpretation services (see **para. 6.18**); and

(5) collate data on the needs of public service users for interpretation services in other Chinese dialects to facilitate the Government's review and planning in this regard. In the long run, CMAB should consider including in the central database the information about interpreters providing interpretation services in other Chinese dialects to assist B/Ds and related organisations in engaging outside interpreters for such services (see **paras. 6.20 - 6.21**).

ACKNOWLEDGEMENTS

6.24 The Ombudsman thanks CMAB for the full cooperation during our investigation. We are also grateful for the assistance of relevant B/Ds and organisations by providing us with information to facilitate this investigation.

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Annexes

Annex B of the Guidelines

Annex B

Language Services

The HKSAR Government is committed to promoting racial equality and ensuring equal access to public services. In Hong Kong, people who cannot communicate effectively in Chinese or English may experience challenges in gaining access to public services. To ensure that service users of different races can have equal opportunity to access and benefit from public services, appropriate language services should be provided to those in need. Public authorities should take necessary steps to identify the language service needs of the service users, introduce the availability of and proactively offer language services to service users, arrange appropriate language services to those in need taking into account their operational circumstances, and properly document requests for / offer of and use of interpretation services by service users.

Objectives

2. The objectives for arranging necessary language services in the course of public service delivery are to -

(a) enable service users who are not able to communicate effectively in spoken or written Chinese or English to have equal access to public services; and

(b) facilitate public authorities to understand and be responsive to the needs of these service users.

Provision of Language Services

Management level

3. Public authorities have a responsibility to ensure that language is not a barrier to accessing public services. They should ensure people with limited Chinese or English proficiency are equally entitled to

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access opportunities and understand the information provided to them. Provision of interpretation and translation services are crucial to ensuring this is achieved. The management of public authorities is required to -

- understand service users' need for language services;

- publicise the availability of language services at all service centres and websites, and bring this to the attention of service users. Display of symbols or pictures indicating the availability of language services is helpful to service users who can communicate with limited Chinese or English (see language identification card prepared by the Centre for Harmony and Enhancement of Ethnic Minority Residents ("CHEER Centre") at **Appendix**);

- ensure staff provide assistance to service users who cannot communicate effectively in Chinese or English, and to proactively introduce language services available to them;

- ensure appropriate language services are provided and used effectively, whenever required;

- provide language services at no cost to service users as far as possible;

- draw up work manuals / procedures for language services, ensure all staff, especially frontline workers, are aware of the language services policies and familiar with the prescribed work procedures, and provide staff with timely direction and assistance whenever needed;

- provide training to staff to enhance their sensitivity and understanding of racial equality in the provision of services, as well as skills and techniques to work effectively with interpreters, etc.; and

- deploy resources as required to engage language services and provide staff training. In case additional resources are

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required and the resources cannot be absorbed by the public authorities, consideration should be given to bidding for additional provision of resources in accordance with established procedures.

4. All public authorities need to oversee and review the arrangements of provision of language services to service users in need regularly and make necessary refinement to the arrangements as appropriate. To facilitate overall monitoring, public authorities are required to report on "the need for language services" (including the number of requests received and the number of interpretation services provided) and "preferred languages" to CMAB annually. Please refer to **Annex C** for details.

Front-line level

5. Staff members are responsible for assisting service users with limited Chinese or English proficiency to have equal access to public services. They should take proactive and reasonable steps to -

- identify and assess the language needs of the service users. Language services should be arranged when the service user:
  - requests to communicate in his / her preferred languages;
  - requests for language services;
  - struggles to communicate in Chinese or English;
  - cannot be understood fully;
  - cannot grasp or respond to questions in Chinese or English or responds only in a limited way; or
  - relies solely or heavily on family members, friends, carers, or other support persons to interpret;
- introduce the availability of and proactively offer language services to service users;

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- use communication aids (display cards, digital instruments, etc.) or language identification card at **Appendix** as appropriate to facilitate communication;

- record the language services needs and requests for follow up actions. Specific language services required by a service user should be properly recorded in his / her service record for future reference where appropriate;

- arrange appropriate language services for service users according to the prescribed work procedures set by respective public authorities;

- engage appropriate language services whenever there is a need to do so, regardless of whether the service user has made a request or whether the service user is accompanied with a Chinese or English speaking family member, friend, carer, or other support person;

- seek the direction and assistance of the management in case of doubt;

- attend necessary training to enhance knowledge and skills in the provision of service to people of diverse race; and

- provide feedback, if any, for enhancing the provision of language services to the management.

6. In considering the provision of appropriate language services to service users, public authorities are reminded to take note of the following -

- though there may be family members, friends, carers, and other support persons accompanying and providing interpretation for service users who are seeking public services but cannot communicate effectively in Chinese or English, public authorities should consider the provision of professional language services so as to avoid potential

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breaches of confidentiality, possible misinterpretation or inaccuracy, conflict of interest, potential loss of objectivity, etc.; and

- when arranging language services, staff should heed the special needs of the individual service user, in the aspect of confidentiality and cultural difference arising from ethnicity.

Providers of Translation and Interpretation Services

7. To facilitate service users to access public services, the CHEER Centre, which is operated by the Hong Kong Christian Service and commissioned by the Home Affairs Department, provides general interpretation and translation services between English and 8 other languages[1] in non-specialised / non-professional areas. Its Telephone Interpretation and Enquiry Service (TELIS) can facilitate 3-way voice conference interpretation and is free of charge to service users and public authorities. Public authorities can call CHEER Centre's hotlines (see https://hkcscheer.net/) and get TELIS support for general interpretation services. As service fees would be charged by CHEER Centre for interpretation and translation services beyond TELIS, public authorities in need of these services should follow the Stores and Procurement Regulations (S&PRs) when engaging service providers. The Guidelines for using interpretation and translation services provided by the CHEER Centre is accessible from this link:

http://had.host.ccgo.hksarg/rru/Guidelinesforusinginterpretationandtransl ationservice.pdf

8. Since the interpretation needs of service users vary depending on the type of public services offered, public authorities may consider their operational needs and the actual situation and engage other suitable service providers for interpretation and translation. Other common service providers include the Hong Kong Sheng Kung Hui (HKSKH) Lady MacLehose Centre, a service contractor that the Hospital Authority

[1] The 8 languages are Bahasa Indonesia, Hindi, Nepali, Tagalog, Thai, Urdu, Vietnamese and Punjabi. Services are provided for general translation excluding specialised and professional areas.

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engaged to provide interpretation services in public hospitals and clinics; as well as part-time court interpreters[2]. Public authorities may also refer to the lists of suppliers of translation and interpretation services maintained by the Official Language Division of Civil Service Bureau[3], as well as the Purchasing Card Merchant Lists under the Purchasing Card Programme. In any event, B/Ds are reminded to engage these suppliers or language service providers for the provision of competent language services in accordance with the S&PRs.

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[2] Please refer to General Circular No. 3/2018 on this.

[3] The List of Translation Firms and the List of Freelance Translators maintained by the Official Languages Division mainly offered translation of documents between Chinese and English. Public authorities could ascertain the scope of services with translation firms before engaging them for translation and / or interpretation services in other languages.

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Appendix

國旗 FLAG	語言 Language	熱線號碼 Hotline No.	選擇語言 Select A Language	
	Bahasa Indonesia 印尼語	3755 6811		Pilih bahasa yang Anda inginkan dan penyedia layanan akan membantu Anda membuat panggilan ke Layanan Penerjemahan lewat Telepon CHEER (TELIS) hotline
	Nepali 尼泊爾語 नेपाली	3755 6822		तपाईंले बोल्ने भाषा देखाउनुहोस् अनि तपाईंको सेवा प्रदायकहरूले तपाईंलाई CHEER केन्द्रको टेलिफोन दोभाषे सेवा (TELIS) हटलाईनमा फोन गर्न मद्दत गर्न सक्छन् ।
	Urdu 烏爾都語 اردو	3755 6833	Point to the language you speak and your service providers can help you to make a call to CHEER Centre's Telephone Interpretation Service (TELIS) Hotline so you can communicate.	جو زبان آپ بولتے ہیں اس کی طرف اشارہ کریں اور آپ کے لیے خدمات فراہم کرنے والے CHEER سینٹر کی ٹیلی فون پر زبانی ترجمہ کی سہولت (TELIS) کی ہاٹ لائن پر کال کرنے میں آپ کی مدد کرسکتے ہیں
 	Punjabi 旁遮普語 ਪੰਜਾਬੀ	3755 6844		ਆਪਣੀ ਬੋਲਣ ਵਾਲੀ ਭਾਸ਼ਾ ਵੱਲ ਇਸ਼ਾਰਾ ਕਰੋ ਅਤੇ ਤੁਹਾਡੇ ਸੇਵਾ ਪ੍ਰਦਾਤਾ ਤੁਹਾਨੂੰ CHEER ਸੈਂਟਰ ਦੀ ਟੈਲੀਫੋਨ ਵਿਆਖਿਆ ਸੇਵਾ (TELIS) ਦੀ ਹਾੱਟਲਾਈਨ ਤੇ ਕਾੱਲ ਕਰਨ ਵਿੱਚ ਮਦਦ ਕਰਨਗੇ
	Tagalog 他加祿語	3755 6855		Ituro ang iyong wika at maaari kang tulungan ng iyong tagabigay ng serbisyo na makatawag sa Hotline ng Serbisyong Interpretasyong Pantelepono (TELIS) ng CHEER
	Thai 泰語 ภาษาไทย	3755 6866	請指出適合你的語言，讓服務提供者協助你致電「融匯」中心電話傳譯服務 (TELIS) 熱線，好讓你們可以溝通。	ชี้ไปที่ภาษาที่คุณพูดแล้วเจ้าหน้าที่ของหน่วยงานจะช่วยคุณโทรศัพท์มาที่สายด่วนบริการล่ามทางโทรศัพท์ (TELIS) ของศูนย์ CHEER
	Hindi 印度語 हिन्दी	3755 6877		जो भाषा आप बोलते हैं उस भाषा की तरफ संकेत करें और आपके सेवा प्रदाता आपको CHEER केन्द्र के टेलीफोन व्याख्या सेवा (TELIS) हाटलाइन पर कॉल करने में आपकी मदद करेंगे
	Vietnamese 越南語 Tiếng Việt	3755 6888		Hãy chỉ vào ngôn ngữ thích hợp bạn, để người cung cấp dịch vụ hỗ chợ bạn gọi tới CHEER trung tâm Trợ Giúp Thông Dịch Qua Đường Dây Nóng (TELIS), để bạn có thể giao tiếp được

Annex I

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Hong Kong Christian Service

CENTRE for HARMONY and ENHANCEMENT of ETHNIC MINORITY RESIDENTS (CHEER)

香港基督教服務處

融匯 - 少數族裔人士支援服務中心

Language Identification Card / 語言識別卡

Kartu Identifikasi Bahasa / भाषा पहचान कार्ड / भाषा पहिचान कार्ड / ਭਾਸ਼ਾ ਪਹਿਚਾਣ ਕਾਰਡ / Tarhetang Pagkakakilanlan ng Wika / บัตรประจำตัวแสดงภาษา / زبان کی شناخت کا کارڈ / Thẻ Nhận Dạng Ngôn Ngữ

3106 3104 | 3106 0454 | tis-cheer@hkcs.org | www.hkcs.org

Address:

This programme is sponsored by the Home Affairs Department

本計劃由民政事務總署資助

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Telephone Interpretation Service (TELIS)		**電話傳譯服務 (TELIS)**	
Operation Hour :	Monday to Sunday 8:00am - 10:00pm (Except public holidays)	辦公時間 :	星期一至星期日 8:00am - 10:00pm (公眾假期除外)
Non-operation Hour :	Any time out of the above operation hours, including public holidays. *(For **Urgent Matters Only**, and only English - speaking staff will answer the calls)*	非辦公時間 :	即上述辦公時間以外之時間，包括公眾假期。*(熱線由通曉英語的職員接聽，並只適用於緊急情況)*
Layanan Penerjemahan lewat Telepon (TELIS)		**Serbisyong Interpretasyong Pantelepono (TELIS)**	
Jam Operasional :	Senin Sampai Minggu 8:00am - 10:00pm (Kecuali hari libur umum)	Oras ng Operasyon :	Lunes hanggang Linggo 8:00am - 10:00pm (Maliban sa mga public holiday)
Di luar Jam Operasional :	Jam di luar jam operasional yang disebut di atas, termasuk hari libur umum. *(**Hanya untuk Darurat**, dan Hanya petugas berbahasa - Inggris yang akan menjawab panggilan)*	Hindi oras ng operasyon :	Anumang oras na hindi nakasaad sa itaas, kabilang ang mga public holiday. (Para sa mga ***Madaliang mga Bagay Lamang***, mga kawaning nakakapagsalita ng Ingles lamang ang sasagot sa mga tawag)
टेलीफोन व्याख्या सेवा (TELIS)		**บริการล่ามทางโทรศัพท์ (TELIS)**	
संचालन समय :	सोमवार से रविवार 8:00am - 10:00pm (सार्वजनिक छुट्टियों को छोड़कर)	เวลาทำการ :	วันจันทร์ ถึง วันอาทิตย์ 8:00am - 10:00pm (ยกเว้นวันหยุดราชการ)
गैर-संचालन समय :	ऊपर दिये संचालन समयों से बाहर किसी भी समय,सार्वजनिक छुट्टियों सहित। *(**तत्काल मामलों के लिए ही**, केवल अंग्रेजी - भाषी कर्मचारी कॉल का जवाब देंगे)*	เวลาปิดทำการ :	เวลาที่นอกเหนือจากเวลาทำการดังกล่าวข้างต้นรวมไปถึงวันหยุดราชการ *(สำหรับ**กรณีฉุกเฉินเท่านั้น**ที่จะมีเจ้าหน้าที่รับสายเป็นภาษาอังกฤษ)*
टेलिफोन दोभाषे सेवा (TELIS)		**ਟੈਲੀਫੋਨ ਵਿਆਖਿਆ ਸੇਵਾ (TELIS)**	
संचालन समय :	सोमवार देखि आईतबार 8:00am - 10:00pm सम्म (सार्वजनिक बिदाहरू बाहेक)	ਦਫਤਰੀ ਸਮਾਂ :	ਸੋਮਵਾਰ ਤੋਂ ਐਤਵਾਰ 8:00am - 10:00pm (ਜਨਤਕ ਛੁੱਟੀਆਂ ਤੋ ਇਲਾਵਾ)
गैर-संचालन समय :	सार्वजनिक बिदाहरू लगायत, माथि दिईएको संचालन समय बाहेक कुनै पनि समय। *(**अत्यन्त जरूरी मामिलाको लागि मात्र**, अंग्रेजी-बोल्ने कर्मचारीले मात्र फोनको जवाफ दिनेछ)*	ਦਫਤਰੀ ਸਮੇਂ ਤੋਂ ਬਾਹਰ :	ਜਨਤਕ ਛੁੱਟੀਆਂ ਸਹਿਤ ਉੱਤੇ ਦਿੱਤੇ ਦਫਤਰੀ ਸਮੇਂ, ਤੋਂ ਬਾਹਰ ਕਿਸੇ ਵੀ ਸਮੇਂ। *(ਸਿਰਫ **ਜ਼ਰੂਰੀ ਮਾਮਲਿਆਂ** ਲਈ, ਕੇਵਲ ਅੰਗਰੇਜ਼ੀ ਬੋਲਣ ਵਾਲਾ ਕਰਮਚਾਰੀ ਹੀ ਕਾੱਲ ਦਾ ਜਵਾਬ ਦੇਵੇਗਾ)*
ٹیلی فون پر زبانی ترجمہ کی سہولت (TELIS)		**Trợ Giúp Thông Dịch Qua Đường Dây Nóng (TELIS)**	
کام کے اوقات :	سوموار سے اتوار 8:00am - 10:00pm (سرکاری چھٹیوں کے علاوہ)	Thời Gian Làm Việc :	Thứ Hai đến Chủ Nhật 8:00 am – 10:00 pm (Trừ những ngày lễ công cộng)
کام کے اوقات کے علاوہ :	اوپر دیے گئے کام کے اوقات کے علاوہ کسی بھی وقت، بشمول سرکاری چھٹیاں (**صرف ہنگامی حالات** کے لیے، صرف انگریزی بولنے والا عملہ کالز اٹھائے گا)	Phi Thời Gian Làm Việc:	Bất cứ thời gian nào ngoài giờ làm việc nói trên và ngày lễ công cộng. (Trừ ***những trường hợp khẩn cấp*** và sẽ có nhân viên nói Tiếng Anh nghe điện thoại)

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<u>Annex C</u>

Data Collection on Service Users of Diverse Race

Public authorities should understand and be responsive to the needs of service users in planning, assessing and reviewing the service provision. For this purpose, practicable steps should be taken to collect data on service users of diverse race, and to make the data (notably non-personal data) readily retrievable. Based on such information collected on a regular basis, public authorities can assess the impact of their policies and measures on racial equality, monitor service users' equal access to public services, and enable continuous improvement of service provision.

Objectives

2. The objectives for collecting data on non-Chinese service users include -

(a) to understand their profile, characteristics and their specific service needs;

(b) to understand their service utilisation patterns and monitor their access to service provision;

(c) to facilitate the provision of necessary assistance and support measures to service users who encounter culture and language barriers in accessing public services;

(d) to enable ongoing monitoring of the effectiveness of service provision; and

(e) to keep the public informed of the progress of the implementation of measures and policy effectiveness.

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3. The data and information should be collected by public authorities on a voluntary and confidential basis, and for the purpose of advancing equality of opportunity. Where services users do not wish to reveal their racial groups, public authorities may consider collecting data on an anonymous basis. Service users should not be compelled to provide data to public authorities as a condition to obtaining or using the services and no adverse consequence should follow if they refuse to provide such data[1].

4. Public authorities must notify service users, on or before collecting their personal data, the purposes for which the personal data are to be used and making it clear that the supply of data is entirely voluntary. Public authorities are also reminded that the data collected is for statistical and service monitoring and not for any other purposes. Besides, the resulting statistics or results of service monitoring will not be made available in a form which identifies the data subject. A sample statement informing service users of the above arrangement is at **Appendix** for reference.

Scope

Public services subject to data collection

5. Public authorities should review all policy areas and identify policies and measures that people of diverse race may make use of and need access to, and collect data accordingly. "Enquiries and complaints" are considered to be mandatory types of services subject to data collection. In this respect, public authorities should collect data from enquirers / complainants who have a "need for interpretation / translation services" and their "preferred languages".

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[1] Since data is collected on a voluntary basis, the completeness, validity and reliability of the statistics compiled may inevitably be affected. That said, it is considered that such statistics and data collected would still provide useful information and feedback to public authorities for service monitoring and continued service improvement.

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Data to be collected

6. Basic information on "the need for interpretation / translation services" and "preferred language" (other than Chinese and English)[2] of service users who need interpretation / translation services must be collected. Public authorities should collect data from service users who use languages other than Chinese and English, and keep at least the following data on language services, namely,

(a) the number of cases where language services are requested;

(b) the number of cases where language services are offered to service users;

(c) the number of cases where offer of language services is accepted or declined; and

(d) in the case of request for (i.e. (a) above), or acceptance of offer of language services (i.e. (c) above), the language requested.

Public authorities may collect other data and statistics on use of services by people of different races (like "ethnicity", "nationality", "gender", "country of origin", etc.) if such data would assist their provision of services (e.g. female of certain races may only consult female medical practitioners).

7. To facilitate comparison with benchmarks such as census data as well as among different public services, when considering the categories of data to be collected, reference should be drawn from the standardised codes adopted by the Census and Statistics Department. In this connection, for classification of ethnic groups, public authorities are advised to collect, at a minimum, data in relation to 8 categories, namely Filipino, Indonesian, Indian, Nepalese, Pakistani, Thai, Other Asian (including Vietnamese) and Others. The aforementioned ethnic groups are the largest non-Chinese groups according to the *2016 Population By-*

[2] To facilitate comparison, public authorities are advised to collect, at a minimum, data in relation to nine languages, namely Bahasa Indonesia, Hindi, Nepali, Tagalog, Thai, Urdu, Vietnamese, Punjabi and Others.

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census Thematic Report: Ethnic Minorities[3] by the Census and Statistics Department.

8. Public authorities are reminded that the information collected should be directly relevant, necessary and not excessive for the purpose of ensuring service users' equal access to the services. Non-personal data on service users of different races collected should be readily retrievable to support on-going monitoring. In case of doubt, advice from the Department of Justice / the Office of the Privacy Commissioner for Personal Data should be sought.

9. The consideration and decision on the types of services subject to data collection and the categories of data (i.e. paragraphs 5 to 7 above) to be collected should be properly documented. In addition, such decision should be reviewed on a regular basis having regard to changes in circumstances.

Implementation

10. The collection of data / information on non-Chinese service users will start in April 2020 for phased completion within 2 years, i.e. by March 2022.

(a) First Phase (to be completed by March 2021)

- to collect data from enquirers / complainants who have a "need for interpretation / translation services" and their "preferred languages" as follows:

  (i) the number of cases where language services are requested;

  (ii) the number of cases where language services are offered to service users;

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[3] Please refer to Table 3.1 in 2016 Population By-census Thematic Report: Ethnic Minorities (https://www.statistics.gov.hk/pub/B11201002016XXXXB0100.pdf). In these Guidelines, White and East Asian people like Japanese and Koreans would be classified under "Others" as most of them should be expatriates working in Hong Kong and can communicate in English.

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(iii) the number of cases where offer of language services is accepted or declined; and

(iv) in the case of request for (i.e. (i) above), or acceptance of offer of language services (i.e. (iii) above), the language requested[4].

(v) number of complaints lodged by service users with interpretation / translation needs, and whether the complaints are related to the "lacking of / provision of interpretation and / or translation services"; and

(vi) any other types of data identified (if any).

- to monitor the overall data collection arrangement and make necessary adjustments based on actual circumstances;
- to complete a review on the data collection arrangement in the First Phase and make necessary technical and publicity preparation for extending data collection to services planned to be included in the Second Phase by end of February 2021;
- to make available the statistics so compiled in an aggregate form on respective websites for public information by end of April 2021; and
- to review the effectiveness of policies, measures and service provision based on the resulting statistics and introduce refinement / improvement as appropriate.

(b) Second Phase (to be completed by March 2022)

- to collect data and statistics on service users of different races for services planned to be included in this phase;

[4] Please refer to footnote 2 for data in nine languages to be collected.

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- to monitor the overall data collection arrangement and make necessary adjustments based on actual circumstances;

- to conduct annual review on the data collection arrangement including the types of services and data to be collected;

- to make available the statistics so compiled in an aggregate form on respective websites for public information by end of April each year; and

- to review the effectiveness of policies, measures and service provision based on the resulting statistics and introduce refinement / improvement as appropriate.

11. Further refinement should be made as necessary in the light of experiences gained in the two-phase implementation.

12. The CMAB is responsible for coordinating and maintaining an overview on the implementation of the Guidelines in the Government as a whole. Among others, CMAB will collate relevant information from public authorities on "the need for interpretation / translation services" and "preferred language" of service users who need interpretation / translation service in prescribed form annually. The aggregate statistics will be publicised on CMAB's website for public information.

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Appendix

Data collection statement:
(Note: The statement is applicable to the collection of data and information on use of services by people of different races that is additional to those currently required for public authorities to perform their functions under their respective purviews.)

Collection of Information on Service Users of Different Races

1. For better understanding of the needs of our customers of different races and improving our service to meet their needs, you are invited to provide information on the "need for interpretation / translation services" and "preferred languages" *(Note: Categories of data to be modified by public authorities as appropriate)* for statistical and service monitoring purposes.

2. Provision of such information is voluntary. You may decline to provide the information. However, your assistance is highly appreciated as the information collected is valuable to the continuous improvement of our services to people of different races.

3. We are committed to protecting the privacy, confidentiality and security of the personal information we hold by complying with the requirement of Personal Data (Privacy) Ordinance with respect to the management of personal information. We will ensure compliance by our staff with the strictest standards of security and confidentiality.

4. The information collected is for statistical and service monitoring purposes only and not for any other purpose.

5. The resulting statistics or results of service monitoring will not be made available in a form which identifies the individual who provides them.

6. For enquiry, please contact:

   (The contacts of the officers who coordinate the implementation of PDPO of respective Public Authorities.)

Annex III

Interpretation Services in Foreign Languages and other Chinese Dialects provided by Freelance Interpreters on the Judiciary's List (as at December 2020)

Foreign Languages	
1. Arabic	20. Nepali
2. Bengali	21. Outer Mongolian
3. Bhutanese	22. Polish
4. Burmese	23. Portuguese
5. Cambodian	24. Russian
6. Danish	25. Sinhala
7. Dutch	26. Somali
8. French	27. Spanish
9. German	28. Swahili
10. Greek	29. Tagalog
11. Hindi	30. Tamil
12. Igbo	31. Thai
13. Indonesian	32. Turkish
14. Italian	33. Twi
15. Japanese	34. Ukrainian
16. Korean	35. Urdu
17. Lingala	36. Vietnamese
18. Luganda	37. Yoruba
19. Malay	–

Other Chinese Dialects	
1. Chaozhou	10. Kejia
2. Dongguan	11. Leizhou
3. Fuqing	12. Minnan
4. Fuzhou	13. Putian
5. Guiyang	14. Shanghai
6. Hainan	15. Sichuan
7. Helao	16. Taishan
8. Hunan	17. Wenzhou
9. Jiangxi	18. Yangjiang